

**MINUTES OF THE ZONING BOARD
PUBLIC HEARING & REGULAR MEETING,
THURSDAY, OCTOBER 19, 2015, AT 7:00 P.M., ON
THE 4th FLOOR, CAFETERIA, GOVERNMENT
CENTER BLDG, 888 WASHINGTON BLVD.,
STAMFORD, CT**

Present for the Board: Thomas Mills (Chair), Barry Michelson (Secretary), William Morris, David Stein and Joanna Gwozdzowski. Present for staff: Norman Cole, Land Use Bureau Chief and David Killeen, Associate Planner.

Mr. Mills called the meeting to order at 7:11 pm.

PUBLIC HEARING

1. **Application 215-29 – WEST SIDE DEVELOPMENT PARTNERS, LLC, Text Change**, requesting a change to the existing definition 45.2 Home Center and to add Home Center as a permitted use by Special Exception approval of the Zoning Board in the M-L District (*continued from October 5, 2015*).
2. **Application 215-30 – WEST SIDE DEVELOPMENT PARTNERS, LLC, 1937 West Main Street (Lot B-2)**, Application for Special Exception and Site Plans/Requested Uses, requesting Special Exception and Site Plan approval to construct an 115,420+/- sf building for use as a “Home Center” with a 28,118 sf garden center as well as a smaller 7,605 sf retail/industrial/flex building with associated parking and site improvements. The subject property is located in the M-L zoning district with an address of 1937 West Main Street (Lot B-2). Specific Special Exception requests include approval of a “Home Center” in the M-L zoning district (Appendix A, Table II, as amended by the proposed text amendment), a new non-residential structures with gross floor area over 20,000 sf and the creation of over 100 parking spaces (Section 7.5 Large Scale Development) as well as approval of a pole sign of no more than 100 sf (Section 13-I-6) (*continued from October 5, 2015*).

Chairman Mills read the description of the application into the record and noted this was continued from a public hearing on October 5, 2015.

Attorney Bill Hennessey for the Applicant provided a summary of the application.

Josh Benson & Mani Poola, Traffic Engineering, City of Stamford, explained the status of the West Avenue/West Main Street project. Mr. Poola said there’s no question the project will be funded. In six months, we’ll have finalized the funding of which the total funding is \$2.7 million and the City has \$500k and the developer has pledged \$500k.

Attorney Hennessey said the Board of Reps adopted a resolution 9/8/15 to authorize eminent domain to acquire the necessary right-of-way.

Mr. Mills asked if anyone from the public wanted to comment.

Ken Cosentino, 55-57 Whitmore Lane, said Cytec main entrance has always been to Harvard Avenue so why are they improving West Avenue?

John Tucciarone, 10 Harvard Avenue, says his driveway is blocked by cars waiting at the light at West Main. He asked the Board to preclude the Home Center from opening until all traffic improvements are done.

Attorney Jeffrey Mirman, on behalf of Progress Park on Progress Drive, said tenants on the second floor look at the loading dock which is noisy and visually unappealing. The site also has drainage problems and a large gabion wall 30' high. The Garden Center will cause pesticide runoff. The traffic is bad on West Avenue with no plan to deal with traffic. State funding is unknown. He will submit his comments in writing.

Mr. Michelson asked when they'll re-synchronize the traffic lights? Mr. Poola said it was last done in 2002 City-wide and they have a \$4 million project being planned to retime all signals.

Mr. Mills asked if the City could manage parking on West Main? Mr. Poola said yes but they need State approval.

Mike Gallante, Traffic Consultant, explained the traffic count data that has been collected using 2012 as the baseline because it is the highest. He explained the intersection improvements and showed that the West Avenue/West Main Street intersection will work better with the Home Center traffic plus improvements.

Attorney Hennessey explained their proposed contributions to the West Avenue/West Main Street project and explained how timing of the project opening coordinates with completion of the West Avenue/West Main Street project. Attorney Hennessey passed out a comparison of M-L standards, the approved flex building and the Home Center. He explained the drainage design.

Brett Holzworth, P.E., explained there will be a 16' high sound barrier on the North side of the Building.

Attorney Lisa Feinberg discussed the sign plan, deliveries and hours of operation.

Mr. Mills took a recess at 9:40pm and resumed the Public Hearing at 9:50pm.

Attorney's Feinberg and Hennessey reviewed the exhibits submitted with this application.

Mr. Mills then closed the public hearing, leaving the record open for one week to permit Attorney Mirman time to submit his written testimony.

3. **Application 215-14 – RICHARD W. REDNISS, Text change,** to Amend Article III, Section 9-N by adding a paragraph 1 to allow the time period within which to obtain building permits for residences in certain developments in R-D Designed Residential Districts to extend in perpetuity provided several conditions are met: a) BMR requirements have been satisfied, b) common elements have been completed and c) WPCA conditions have been satisfied (*continued from October 5, 2015*).

Mr. Mills read the description of the application into the record. Mr. Michelson read the Planning Board letter into the record.

Richard Redniss discussed the R-D cluster development, noting it is superior to conventional subdivisions. The proposed text amendment has been revised to replace “in perpetuity” with the period, “ten years”. The WPCA supports the application. All infrastructures are installed. The Planning Board wanted 5 years + 5 year extensions but the Applicant can’t accept this. All septic system contributions per lot must be paid up for all lots which is \$4,500 per lot, at the time of the next building permit. Currently, 7 lots don’t have building permits. The ten years will run from July, 2016.

Mr. Mills asked if anyone from the public wanted to comment.

Gail Okun, Erskine Road, said the project was approved 16 years ago and it’s time for it to be finished. The monthly payments are in arrears. She supports the 5 year proposal as suggested by the Planning Board.

Susan Lippman, President of the Homeowners Association, is in support of the proposal to grant a 10-year extension. She wants to see the project completed.

Tom Lombardo, President of the North Stamford Association, supports the 5 years + 5 year extension proposal.

Mr. Redniss asked the Board to please give them the 10 years. He described that the build-out will depend on the housing market.

Mr. Stein asked what “pursuant to paragraph N above” means? Mr. Redniss said “within the normal time period (example: 3 years + 3 years).

Mr. Mills closed the Public Hearing on this item at 10:25pm.

4. **Application 215-31 – RICHARD W. REDNISS, Text Change**, requesting a change to the existing definition 67.3 Museum and to add a new definition 67.5 Museum Complex as a permitted use by Special Exception approval of the Zoning Board in the RA-2 District.
5. **Application 215-32 – STAMFORD MUSEUM AND NATURE CENTER, 39 Scofieldtown Road**, Special Exception and General Development Plan, requesting approval to construct in 6 phases, new and improved structures on a Museum Complex located at an existing 100 acre site in an RA-2 zone, as well as related parking and site improvements at 39 Scofieldtown Road. Special Exception requests Zoning Board review. Separate application filed for text change for Museum Complex and a new definition 67.5.

Mr. Mills read the description of the application into the record. Mr. Michelson read the Planning Board letter into the record.

Rick Redniss said they’ve withdrawn the Special Exception application and the current proposal before the Board is just for approval of a General Development Plan (GDP) and a text change. The City gave Stamford Museum and Nature Center (SMNC) a \$100k grant to develop a master plan and he explained the standards and procedures proposed. He explained the text amendment.

Mr. Mills asked if anyone from the public wanted to comment.

Susan Nabel, Board of Reps District 20, expressed concern with parts of the text change. The permitted uses are too broad. Instead of having approval of changes by the Land Use Bureau Chief, they prefer public oversight and a public hearing forum. Regarding the GDP, she likes the path connection to Bartlett Arboretum and she expressed concern with increases in traffic.

Tom Lombardo, President, North Stamford Association, described their involvement since Spring 2015 with SMNC to reach a consensus on the GDP and they support the project.

K.T. Korngold, 235 Scofieldtown Road, said she liked the approval of an overall master plan and was in support of the project.

Mr. Mills continued the public hearing on this application to Monday, October 26, 2015 at 6:00pm at the Turn of River Middle School Auditorium.

Due to the lateness of the hour, Mr. Mills tabled discussion of all other matters to the next meeting which will be held on October 26, 2015 at 6:00pm at 117 Vine Road at the Turn of River Middle School Auditorium. This will precede the public hearing on the BLT applications which will begin at 7:00pm.

Respectfully submitted,

Barry Michelson, Secretary
Stamford Zoning Board